UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,129	12/29/2000	Russell E. Henning	INTL-0501-US (P10387)	9172

			EXAMINER
21906	7590	03/20/2006	RAO, ANAND SHASHIKANT

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ART UNIT	PAPER NUMBER
2613	

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 February 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>10-18</u> is/are pending in the application.

　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>10-18</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　a)☐ All　b)☐ Some * c)☐ None of:

　　1.☐ Certified copies of the priority documents have been received.

　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   As per the instructions filed on 2/27/06, claims 1-9 and 19-33 are canceled.

2.   The indicated allowability of claims 10-18 as indicated by the Decision of 1/24/06 is

withdrawn in view of the newly discovered reference(s) to Talluri et al., (US Patent: 6,111,916

hereinafter referred to as "Talluri" and Dean et al., (US Patent: 6,498,809 hereinafter referred to

as "Dean"). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 10-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sun et al.,

(hereinafter referred to as "Sun") in view of Talluri et al., (hereinafter referred to as "Talluri")

and in view of Dean et al., (hereinafter referred to as "Dean").

Sun discloses a processor containing instructions that enable the processor to comprising:

receive a video stream having at least a first type of frame (Sun: column 7, lines 50-65; column

9, lines 45-56) and a second type of frame (Sun: column 10, lines 5-10), and processing the first

type of frame using first error resilience technique (Sun: column 10, lines 46-61: error resilience

technique for LP data) and the second type of frame using a second error resiliency techniques

(Sun: column 10, lines 61-67; column 11, lines 1-7: error resilience technique for HP data), as in

claim 10. However, Sun fails to disclose that the first technique discloses the further use of

resynchronization markers at a first interval and the second technique discloses the further use of

resynchronization markers using a differing interval than the first interval wherein the second

error resilience technique replaces a bit pattern for the second type of frame with a bit pattern of

shorter length and that the instructions are contained on a machine readable storage media as in

claim 10. Talluri discloses a method of inserting resynchronization markers at a first interval

(Talluri: column 2, lines 50-65; column 9, lines 30-45): slice resynchronization marker inserted

at slice intervals), and resynchronization markers a second interval different than the first interval

(Talluri: column 3, lines 5-36; column 9, lines 30-45: motion resynchronization markers

occurring at the interval as in figure 1) wherein the second error resilience technique replaces a

bit pattern for the second type of frame with a bit pattern of a shorter length (Talluri: column 3,

lines 50-56: replacement with a run of zeroes) in order to process video with uncorrectable errors

such that all of the data of the video with the uncorrectable errors doesn't need to be discarded so

that partial recovery in the video packet is possible (Talluri: column 2, lines 1-5). Accordingly,

given this teaching it would have been obvious for one of ordinary skill in the art to incorporate

Talluri's dual interval insertion of resynchronization markers into the Sun processor executing

instructions in order to process video with uncorrectable errors such that all of the data of the

video with the uncorrectable errors doesn't need to be discarded so that partial recovery in the

video packet is possible. The Sun processor, now incorporating Talluri's dual interval

resynchronization marker insertion, has a majority of the features of claim 10, but fails to

explicitly disclose that the instructions are stored on machine readable media, as in the claim.

Dean discloses a video error resilient transcoding method including resynchronization marker

insertion and checking (Dean: column 3, lines 2-32) on a machine readable medium (Dean:

column 3, lines 45-57; column 4, lines 25-31) in order to provide error resilience processing over

a distributed network (Dean: column 3, lines 35-44). Accordingly, given this teaching, it would

have been obvious for one of ordinary skill in the art to examine the Dean teaching of

implementing a resynchronization marker insertion and checking method on a machine readable

medium and apply it to the Sun processor, now incorporating Talluri's dual interval

resynchronization marker insertion, so that the Sun-Talluri combination would be implemented

on a machine readable medium in order to have the Sun-Talluri combination process video over

a distributed network. The Sun processor, now incorporating Talluri's dual interval

resynchronization marker insertion as implemented on a machine readable medium as taught by

Dean, has all of the features of claim 10.

Regarding claim 11, the Sun processor, now incorporating Talluri's dual interval

resynchronization marker insertion as implemented on a machine readable medium as taught by

Dean, has the first error resilience technique to process a P frame (Sun: column 10, lines 35-45).

Regarding claims 12-13, the Sun processor, now incorporating Talluri's dual interval

resynchronization marker insertion as implemented on a machine readable medium as taught by

Dean, has the second error resilience technique to process a B frame (Sun: column 10, lines 35-

45), as in the claims.

Regarding claim 14, the Sun processor, now incorporating Talluri's dual interval

resynchronization marker insertion as implemented on a machine readable medium as taught by

Dean, has inserting the resynchronization markers at differing intervals (Talluri: column 2, lines

50-65; column 3, lines 5-36; column 9, lines 30-45: slice resynchronization marker inserted at

slice intervals and motion resynchronization markers occurring at the interval as in figure 1), as in the claims.

Regarding claim 15, the Sun processor, now incorporating Talluri's dual interval resynchronization marker insertion as implemented on a machine readable medium as taught by Dean, has the first error concealment technique is different from the second error concealment technique (Sun: column 12, lines 1-40), as in the claim.

Regarding claim 16, the Sun processor, now incorporating Talluri's dual interval resynchronization marker insertion as implemented on a machine readable medium as taught by Dean, has inserting fewer error resilience bits into the video stream for the B-type frame than for the P-type frame (Sun: column 4, lines 1-30), as in the claim.

Regarding claim 17, the Sun processor, now incorporating Talluri's dual interval resynchronization marker insertion as implemented on a machine readable medium as taught by Dean, has variable length encoding (Sun: column 7, lines 15-30), as in the claim.

Regarding claim 18, the Sun processor, now incorporating Talluri's dual interval resynchronization marker insertion as implemented on a machine readable medium as taught by Dean, has applying resynchronization markers to the video for B frames (Webb: column 10, lines 35-45), as in the claim.

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dufour discloses a resynchronization method for decoding video. Wen discloses a

video codec method in error resilient mode and apparatus. Brailean discloses a method and

device for control and compatible delivery of digitally compressed visual data.\

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The

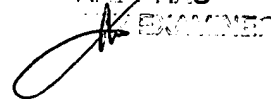examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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ANDY RAO
EXAMINER

asr
March 7, 2006

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